

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHINONYEREM OSUAGWU,

Plaintiff,

v.

11-cv-0001 MV/SMV

**GILA REG'L MED. CTR.;
JEAN REMILLARD, M.D.;
GREGORY KOURY, M.D.;
MICHAEL SARGENT, M.D.;
MARK DONNELL, M.D.;
RONALD DEHYLE, M.D.; and
DON WHITE, M.D.,**

Defendants.

ORDER GRANTING MOTION TO RE-OPEN DISCOVERY FOR LIMITED PURPOSE

THIS MATTER is before the Court on Plaintiff's Opposed Motion to Re-Open Discovery for the Limited Purpose of Subpoenaing Plaintiff's Credentialing File from Lovelace Healthcare and to Depose Lovelace's Credentialing Supervisor [Doc. 247], filed July 22, 2013. The Court does not need further briefing to decide the matter. This case has been pending for over 2 ½ years; a settlement conference is set for August 9, 2013; and trial is set for September 16, 2013, so time is of the essence. The Court concludes that Plaintiff has shown good cause to re-open discovery for the limited purpose described in his motion, and that his request is not unduly burdensome or prejudicial to the Defendants. *See Smith Contracting Corp. v. Trojan Const. Co., Inc.*, 192 F.2d 234, 236 (10th Cir. 1951); *Sil-Flo, Inc. v. SFHC, Inc.*, 917 F.2d 1507, 1519 (10th Cir. 1990).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Opposed Motion to Re-Open Discovery for the Limited Purpose of Subpoenaing Plaintiff's

Credentialing File from Lovelace Healthcare and to Depose Lovelace's Credentialing Supervisor [Doc. 247] is **GRANTED**. Discovery is reopened for the limited purpose of subpoenaing Plaintiff's credentialing file with Lovelace Healthcare and to depose its Credentialing Supervisor Terri Felton.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge